

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BOBBY R. KNOX, JR.,)	
)	
Plaintiff,)	
)	1:13CV1118
v.)	
)	
ARTHUR DAVIS, et al.,)	
)	
Defendant(s).)	

ORDER

Plaintiff has filed a document entitled “Request for Dismissal of All Complaints Civil & Petition S. 2254 & Also Appropriate Relief Claim.” (Docket Entry 4.) This document reads in its entirety as follows: “This individual wishes to have the legal claims and complaints that were filed with this Court to be dismissed in this individuals name pending in this Court within the last month to six months ago. Please send a ‘Notice’ that your office received this request for all claims in [unintelligible] Greensboro.” (*Id.*)

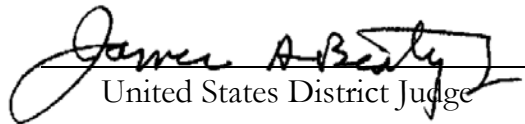
Federal Rule of Civil Procedure 41(a)(1) provides for the voluntary dismissal of an action without a court order (1) before service by the adverse party of an answer or of a motion for summary judgment, or (2) by stipulation of the parties. Fed. R. Civ. P. 41(a)(1)(A). Thereafter, “an action may be dismissed at the plaintiff’s request only by court order, on terms that the court considers proper.” Fed. R. Civ. P. 41(a)(2).

Plaintiff filed the instant action on December 16, 2013 and now clearly seeks to dismiss it voluntarily. Given that no answer or motion for summary judgment has been filed in these matters, dismissal under Rule 41(a)(1)(A) is proper. Consequently, the undersigned construes Plaintiff’s Request (Docket Entry 4) as a Notice of Voluntary Dismissal filed

pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). Such notice is self-executing and the case will be closed at Plaintiff's request.

IT IS THEREFORE ORDERED that the Request (Docket Entry 4) be GRANTED and that this case be TERMINATED without prejudice.

This, the 11th day of April, 2014.


United States District Judge